

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

-----X	
Easton Stevens, et al.,	:
	:
Plaintiffs,	: Civil Action No. 1:10-cv-03571-ILG-PK
	:
-VS-	:
	:
HMSHost Corporation, et al.,	:
	:
Defendants.	:
-----X	

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.
★ JAN 27 2017 ★
BROOKLYN OFFICE

STIPULATION AND PROPOSED ORDER OF DISMISSAL

The Court, having reviewed the parties' joint memorandum in support of preliminary approval, as well as the accompanying exhibits and Declaration of Seth R. Lesser; as well as the parties' joint memorandum in support of final approval, as well as the accompanying Declaration of Seth R. Lesser and the Declaration of Stephen Gomez; and having heard the oral arguments of counsel at a Final Approval Hearing on January 26, 2017, hereby finds that the Settlement Agreement executed July 20, 2016 between the parties represents a reasonable compromise of contested litigation and advances judicial economy; and the Court finds that the requested attorneys' fees, expenses, administrator expenses, and service payments are reasonable and appropriate;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. The Settlement Agreement, attached hereto as Exhibit A, is hereby approved.
2. Attorneys' fees in the amount of \$425,700.00 are hereby approved and awarded to Plaintiff's counsel.
3. Expenses in the amount of \$136,274.64, are hereby approved and awarded to Plaintiff's counsel.

4. A service payment in the amount of \$17,000.00 to the named plaintiff, Easton Stevens, is hereby approved.

5. Settlement administration expenses of \$7,825.00 are hereby awarded to Simpluris, Inc. for its services as Settlement Administrator.

6. The amounts set forth in paragraphs 2-5 of this Order shall be paid in accordance with the terms of the Settlement Agreement.

7. The claims of the named Plaintiff, Easton Stevens, and those individuals who affirmatively opted into the Settlement, *see* Exhibit B, are hereby dismissed **WITH PREJUDICE**.

8. This Court retains jurisdiction regarding any matters arising out of the Settlement Agreement.

Dated: January 26, 2017

/s/ Seth R. Lesser

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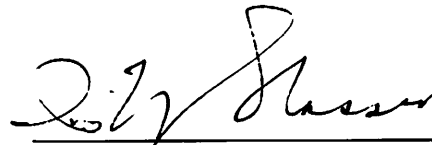
/s/ Patrick M. Muldowney

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Attorneys for Defendants

Dated: Brooklyn, New York

1 - 27, 2017

SO ORDERED:



HONORABLE I. LEO GLASSER
United States District Judge